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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,440	10/19/2001	Royal O'Brien	2033267-0009	1070

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EXAMINER

AN, SHAWN S

ART UNIT PAPER NUMBER

2613

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/039,440

Applicant(s)
O'Brien Royal4

Examiner
Shawn An

Art Unit
2613



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-5, 11, and 14-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Bresalier et al (5,513,181).

Regarding claims 1 and 11, Bresalier et al discloses a system/method of transcoding video data stream, the transcoding system/method comprising:

means for decoding the input video data stream (col. 1, lines 15-24)

means for intra-transcoding the decoded video stream (col. 1, lines 15-24);

means for encoding the intra-transcoded video stream (col. 4, line 52-55); and

means for post-encoding the encoded intra-transcoded video stream (col. 4, line 52-58).

Regarding claims 4 and 14, Bresalier et al discloses means for removing the compression errors from the decoded video data stream (col. 1, line 24).

Regarding claims 5 and 15, Bresalier et al discloses means for synchronizing the video stream (col. 1, lines 27-32).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3, 6-10, 12-13, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bresalier et al (5,513,181).

Regarding claims 2 and 12, Bresalier et al fails to disclose deinterlacing the video stream. However, the Examiner takes official notice that deinterlacing the video stream is well known in the art.

Therefore, it would have been considered obvious to a person of skill in the art to deinterlace video stream for producing different component signals.

Regarding claims 3 and 13, Bresalier et al fails to disclose cropping the video stream. However, the Examiner takes official notice that cropping the video stream is well known in the art.

Therefore, it would have been considered obvious to a person of skill in the art to perform cropping function in order to represent such as a sub image within the main image.

Regarding claims 6-10 and 16-20, Bresalier et al fails to disclose encoding profile. However, the Examiner takes official notice that encoding profile is well known in the art.

Therefore, it would have been considered obvious to a person of skill in the art to perform encoding profile such as bit rate or frame size or setting a key frame or setting a quality (finer quantization) so as to achieve desired output video data stream.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

A) Zhu (5,870,146), Device and method for digital video transcoding.

B) Eyuboglu et al (5,541,852), Device, method and system for variable bit-rate packet video communications.

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C) Hamilton et al (5,504,816), Method and apparatus for controlling access to digital signals..

6. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number (703) 305-0099 and schedule are Tuesday through Friday.

SHAWN S. AN
PATENT EXAMINER



SSA

July 13, 2003